Committee Report

CONSENT CALENDAR

March 5, 2021

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on Election Law to which was referred HB 570,

AN ACT permitting certain political organizations to appear on a general election ballot as a minor party after holding a nominating convention. Having considered the same, report the same with the following resolution: RESOLVED, that it is INEXPEDIENT TO LEGISLATE.

Rep. James Qualey

FOR THE COMMITTEE

Original: House Clerk

Cc: Committee Bill File

COMMITTEE REPORT

Committee:	Election Law
Bill Number:	HB 570
Title:	permitting certain political organizations to appear on a general election ballot as a minor party after holding a nominating convention.
Date:	March 5, 2021
Consent Calendar:	CONSENT
Recommendation:	INEXPEDIENT TO LEGISLATE

STATEMENT OF INTENT

This bill proposes: 1) to add a provision to RSA 652:11 to allow a political organization to qualify as a party by receiving at least 4% of the votes cast for the office of President of the United States; 2) to amend RSA 655:42, III to change how a political organization's candidates are added to the ballot in state elections by allowing the substitution of \$5 filing fee for each name by which they fall short of the current requirement of 3% of the total votes cast in the previous state general election; and 3) to add a provision to RSA 655 allowing a political organization which did not win more than 4% of the vote in a state wide race to add its candidates to the ballot by holding a nominating convention and submitting its list of candidates for a general election within 3 days of the primary election for that general election. The Election Law Committee unanimously holds the view that current New Hampshire law provides ample opportunity for all political organizations to place their candidates on state ballots provided they have shown even a modest amount of support from the voters either through past election results or by submitting a sufficient number of nominating papers from registered voters.

Vote 20-0.

Rep. James Qualey FOR THE COMMITTEE

Original: House Clerk

Cc: Committee Bill File

CONSENT CALENDAR

Election Law

HB 570, permitting certain political organizations to appear on a general election ballot as a minor party after holding a nominating convention. **INEXPEDIENT TO LEGISLATE.**

Rep. James Qualey for Election Law. This bill proposes: 1) to add a provision to RSA 652:11 to allow a political organization to qualify as a party by receiving at least 4% of the votes cast for the office of President of the United States; 2) to amend RSA 655:42, III to change how a political organization's candidates are added to the ballot in state elections by allowing the substitution of \$5 filing fee for each name by which they fall short of the current requirement of 3% of the total votes cast in the previous state general election; and 3) to add a provision to RSA 655 allowing a political organization which did not win more than 4% of the vote in a state wide race to add its candidates to the ballot by holding a nominating convention and submitting its list of candidates for a general election within 3 days of the primary election for that general election. The Election Law Committee unanimously holds the view that current New Hampshire law provides ample opportunity for all political organizations to place their candidates on state ballots provided they have shown even a modest amount of support from the voters either through past election results or by submitting a sufficient number of nominating papers from registered voters. Vote 20-0.

Original: House Clerk

Cc: Committee Bill File

HB570, permitting certain political organizations to appear on a general election ballot as a minor party after holding a nominating convention. **MAJORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Jim Qualey for Election Law. This bill proposes: 1) to add a provision to RSA 652:11 to allow a political organization to qualify as a Party by receiving at least 4% of the votes cast for the office of President of the United States; 2) to amend RSA 655:42, III to change how a political organization's candidates are added to the ballot in state elections by allowing the substitution of \$5 filing fee for each name by which they fall short of the current requirement of 3% of the total votes cast in the previous state general election; and 3) to add a provision to RSA 655 allowing a political organization which did not win more than 4% of the vote in a state wide race to add its candidates to the ballot by holding a nominating convention and submitting its list of candidates for a general election within 3 days of the primary election for that general election. The majority of the Election Law Committee holds the view that current New Hampshire law provides ample opportunity for all political organizations to place their candidates on state ballots provided they have shown even a modest amount of support from the voters either through past election results or by submitting a sufficient number of nominating papers from registered voters.

Archived: Thursday, April 22, 2021 11:18:24 AM

From: Barbara Griffin

Sent: Sunday, March 7, 2021 9:26:35 PM

To: Miriam Simmons

Cc: Bgriffinlo

Subject: Fw: HB 570 Blurb **Response requested:** No **Importance:** Normal

Attachments:

HB570 blurb_r1.doc

One blurb down!

From: Jim Qualey <Jim.Qualey@leg.state.nh.us>

Sent: Thursday, March 4, 2021 9:30 PM

To: Barbara Griffin <Barbara.Griffin@leg.state.nh.us>

Subject: HB 570 Blurb

Hi,

Here's the HB 570 blurb with the last sentence deleted, as you suggested today.

See you tomorrow,

Jim

Voting Sheets

HOUSE COMMITTEE ON ELECTION LAW

EXECUTIVE SESSION on HB 570

BILL TITLE: permitting certain political organizations to appear on a general election ballot as

a minor party after holding a nominating convention.

DATE: March 5, 2021

LOB ROOM: Remote / Hybrid

MOTIONS: INEXPEDIENT TO LEGISLATE

Moved by Rep. Qualey Seconded by Rep. Torosian Vote: 20-0

CONSENT CALENDAR: YES

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep Natalie Wells, Clerk

HOUSE COMMITTEE ON ELECTION LAW

EXECUTIVE SESSION on Bill # 5 1)()			
BILL TITLE: Political postes on Ballet as milion pour			
DATE: 3/5/2/		V	
LOB ROOM:			
MOTION: (Please check one box)			
□ OTP SITL	☐ Retain (1st year)	☐ Adoption of	
Dim a	☐ Interim Study (2nd year)	Amendment # (if offered)	
Moved by Rep. Quality	Seconded by Rep. Polca Tin Mi	an Vote: 20:0	
,			
MOTION: (Please check one box)			
\square OTP \square OTP/A \square ITL	☐ Retain (1st year)	Adoption of Amendment #	
	☐ Interim Study (2nd year)	(if offered)	
Moved by Rep	Seconded by Rep.	Vote:	
MOTION: (Please check one box)			
□ OTP □ OTP/A □ ITL	☐ Retain (1st year)	Adoption of	
	☐ Interim Study (2nd year)	Amendment # (if offered)	
Moved by Rep.	Seconded by Rep.	Vote:	
MOTION: (Please check one box)			
\square OTP \square OTP/A \square ITL	☐ Retain (1st year)	Adoption of	
	☐ Interim Study (2nd year)	Amendment #(if offered)	
Moved by Rep.	Seconded by Rep.	Vote:	
CONSENT C	ALENDAR:YES	NO	
Minority Report?Yes			
Minority Report: les	11 yes, audiot, thep	TATOMOTI	
Respectfully submitte	d: Rep Natalie	Wells, Clerk	

OFFICE OF THE HOUSE CLERK



1/21/2021 9:37:57 AM Roll Call Committee Registers Report

2021 SESSION

Election Law				\ !	ı	
Bill #: 500 Motion: ITL	AM #:	 Exec Session Date:3\\5\\Z\.				
<u>Members</u>		YEAS		<u>Nays</u>		NV
Griffin, Barbara J. Chairman		V				
MacDonald, Wayne D. Vice Chairman						2862 (506 3 :065) 25 5
Prudhomme-O'Brien, Katherine J.		V				
Sweeney, Joe						
Hayward, Peter T.		·				
Mooney, Maureen C.		V				
Torosian, Peter E.		V				
Berry, Ross						
Groen, Fenton		V				
Qualey, James R.		V				
Wells, Natalie J. Clerk						
Cote, David E.				DA PARA LA CAMPANAMA AND AND AND AND AND AND AND AND AND AN		
Ward, Gerald W.R.		W		364 February (* 1-)		
Bergeron, Paul R.		ا		POSTONI COMMUNICATION AND ALLER		
Sandler, Catt		V				
Hamer, Heidi M.		~				
Lane, Connie B.		V				
Freitas, Mary C.						
Hamblet, Joan L.		V				
Muirhead, Russell		V				
TOTAL VOTE:		27)	1	3		

- . .

Hearing Minutes

HOUSE COMMITTEE ON ELECTION LAW

PUBLIC HEARING ON HB 570

BILL TITLE: permitting certain political organizations to appear on a general

election ballot as a minor party after holding a nominating convention.

DATE: February 17, 2021

LOB ROOM: LOB Hybrid Time Public Hearing Called to Order: 10:16 a.m.

Time Adjourned: 10:28 a.m.

<u>Committee Members</u>: Reps. B. Griffin, W. MacDonald, Wells, Prudhomme-O'Brien, Sweeney, Hayward, Mooney, Torosian, Berry, Groen, Qualey, Cote, Ward, Bergeron, Sandler, Hamer, Lane, Freitas, Hamblet and Muirhead

Bill Sponsors:

Rep. Abramson Rep. Labranche

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

*Representative Max Abramson – Rockingham, Hampton, Hampton Falls and Seabrook.

Recognize minority parties after having 500 people register for this political party. There really is a need for forming 3rd parties, either political organizations, needs 4%. In 2016 broke record, 1st time in 20 years the Libertarian party got on the ballot. They gathered 3,000-6,000 signatures, but this time, it was difficult due to COVID. See more Testimony.

Question: Representative Joe Sweeney – For a nominating convention, minor parties, how many people needed to make it recognized?

Answer: I originally introduced a previous version of this bill a few years ago. I think it was 100, but if had 500 registered voters, that would be significant. If the committee wants to set a number of people, I am fine with that.

Hearing adjourned: 10:28am

Respectfully submitted, Representative Natalie Wells Committee Clerk

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

HOUSE COMMITTEE ON ELECTION LAW

	III IEE ON ELECTION LAW
BILL TITLE: XX PERMITTING COM: 300	HEARING on Bill # HB500 Centain political organizations to appear election ballot as a minor party after anating convention. Time Public Hearing Called to Order: 10:16 Am Time Adjourned: 10:27 Am
	Time Adjourned: 10 d 8 ATV
(plea	ase circle if present)
	, W. MacDonald, Wells, Prudhomme-O'Brien, , Berry, Groen, Qualey, Cote, Ward, Bergeron, et and Muirhead
	TESTIMONY
Use asterisk if written testimony and/o	

ELECTION LAW PUBLIC HEARING

2/17/21

Hb570 – Permitting certain political organizations to appear on a general election ballot as a minor party after holding a nominating convention.

Open: 10:15am

*Representative Max Abramson – Rockingham, Hampton, Hampton Falls and Seabrook. Recognize minority parties after having 500 people register for this political party. There really is a need for forming 3rd parties, either political organizations, needs 4%. In 2016 broke record, 1st time in 20 years the Liberterian party got on the ballot. They gathered 3,000-6,000 signatures, but this time, it was difficult due to COVID. See more Testimony.

Question: Representative Joe Sweeney – For a nominating convention, minor parties, how many people needed to make it recognized?

Answer: I originally introduced a previous version of this bill a few years ago. I think it was 100, but if had 500 registered voters, that would be significant. If the committee wants to set a number of people, I am fine with that.

Adjourned: 10:28am

Respectfully submitted,

Representative Natalie Wells

House Remote Testify

Election Law Committee Testify List for Bill HB570 on 2021-02-17

Support: 9 Oppose: 5 Neutral: 0 Total to Testify: 1

	City, State					
<u>Name</u>	Email Address	<u>Title</u>	Representing	Position	Testifying	<u>S</u>
Abramson, Max	Max.Abramson@leg.state.nh.us	An Elected Official	Myself	Support	Yes (4m)	2/
Horrigan, Rep. Timothy	timothyhorrigan@icloud.com	An Elected Official	Strafford 6	Oppose	No	2/
Groetzinger, Tonda	groetzinger6@aol.com	A Member of the Public	Myself	Support	No	2/
Richards, Matthew	mricha711@gmail.com	A Member of the Public	Myself	Support	No	2/
Fordey, Nicole	nikkif610@gmail.com	A Member of the Public	Myself	Support	No	2/
Frost, Sherry	sherry.frost@leg.state.nh.us	An Elected Official	Myself	Support	No	2/
Smith, Hayden	hasmith1520@gmail.com	A Member of the Public	Myself	Support	No	2/
Anastasia, Patricia	patti.anastasia@gmail.com	A Member of the Public	Myself	Oppose	No	2/
Lucas, Janet	janluca1953@gmail.com	A Member of the Public	Myself	Oppose	No	2/
Thomas, Elaine	thomas.marshall@comcast.net	An Elected Official	Myself	Oppose	No	2/
ARONSON, LAURA	laura@mlans.net	A Member of the Public	Myself	Support	No	2/
Mennella, Alexandra	amennella1@protonmail.com	A Member of the Public	Myself	Oppose	No	2/
Hayden, Sam	hayden.sam@gmail.com	A Member of the Public	Myself	Support	No	2/
See, Alvin	absee@4Liberty.net	A Member of the Public	Myself	Support	No	2/

Testimony

Bill as Introduced

HB 570 - AS INTRODUCED

2021 SESSION

21-0288 10/06

HOUSE BILL 570

AN ACT permitting certain political organizations to appear on a general election ballot as

a minor party after holding a nominating convention.

SPONSORS: Rep. Abramson, Rock. 37; Rep. Labranche, Hills. 22

COMMITTEE: Election Law

ANALYSIS

This bill permits certain political organizations to be called a minor party and appear on a general election ballot after holding a nominating convention. This bill also allows political organizations to be a party by receiving 4 percent of votes cast for President of the United States, and allows a political organization to pay a fee in order to meet requirements for candidate nomination papers.

.....

Explanation: Matter added to current law appears in **bold italics**.

Matter removed from current law appears [in brackets and struckthrough.]

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT

permitting certain political organizations to appear on a general election ballot as a minor party after holding a nominating convention.

Be it Enacted by the Senate and House of Representatives in General Court convened:

- 1 Party; Minimum Percent of Votes Cast; President Added. Amend RSA 652:11 to read as 2 follows:
 - 652:11 Party. "Party" shall mean any political organization which at the preceding state general election received at least 4 percent of the total number of votes cast for any one of the following: the office of governor [ex], the offices of United States senators, or the office of President of the United States.
 - 2 Nomination Papers; Number; Three Percent Requirement. Amend RSA 655:42, III to read as follows:
 - III. It shall require the names of registered voters equaling 3 percent of the total votes cast at the previous state general election to nominate by nomination papers a political organization; provided however that a political organization or a candidate may substitute for the number of registered voters short of the 3 percent a filing fee equal to \$5 per name required to meet the 3 percent of total votes cast.
 - 3 New Subdivision; Nomination by Nominating Convention. Amend RSA 655 by inserting after section 45 the following new subdivision:

Nomination by Nominating Convention

- 655:45-a General Provisions. As an alternative to nomination by party primary or by candidate nomination papers, a candidate may have his or her name placed on the ballot for the state general election for a state, county, partisan local, or federal office through a political organization nominating convention as a minor party candidate in accordance with this subdivision.
- 655:45-b Nomination of Organization. A political organization that did not win more than 4 percent of the vote in a statewide race in the preceding general election may have its candidates placed on the ballot for a general election by submitting, within 3 days after the primary election for such general election and after holding a nominating convention pursuant to rules adopted by the organization and in substantial accordance with RSA 667:21, a list of candidates it wishes to place on the ballot in such election, provided that the organization has obtained the minimum number of registrations in a primary election pursuant to RSA 655:45-d. The chairman of any such political organization shall also file a declaration of intent, as provided in RSA 655:45-c at least one month prior to the date of the state primary election.
 - 655:45-c Declaration of Intent; Political Organization.

HB 570 - AS INTRODUCED - Page 2 -

1	I. Declarations of intent for political organizations shall be in the following form and signed
2	by the chairman of the political organization:
3	I, organization hereby declare that
4	the organization intends to seek placement on the ballot by nominating convention in
5	accordance with RSA 655:45-b.
6	II. At the time of filing the declaration of intent, the chairman of the political organization
7	shall submit a list of the offices for which it intends to file candidates and the names of the
8	candidates for those offices. In addition, each candidate shall file a declaration of candidacy. The
9	declaration of candidacy shall be in the form provided by RSA 655:45-f. If the political organization
10	is not certified in accordance with RSA $655:45$ -d, any declarations of candidacy filed for that political
11	organization shall be void.
12	655:45-d State Primary Election; Certification.
13	I. Upon closing of the polls at a state primary election, the secretary of state shall count the
14	total number of voters in the state who are affiliated with any political organization seeking
15	placement on the general election ballot pursuant to this subdivision.
16	II. If, upon completion of that state primary election, at least 500 voters throughout the
17	state have declared affiliation with any one political organization seeking placement on the general
18	election ballot as a minor party pursuant to this subdivision, the secretary of state shall include that
19	political organization's list of candidates on the ballot for the immediately following general election
20	as a minor party.
21	655:45-e Nominating Convention; Restrictions.
22	I. No candidate who intends to run for any state, county, local, or federal office in the state
23	general election pursuant to this subdivision shall have his or her name placed on the ballot unless
24	the candidate files a declaration of candidacy, as provided in RSA 655:45-f. Any person who files on
25	the last day of the filing period must do so in person before the secretary of state.
26	II. No candidate who filed as a candidate in the state primary election shall be eligible to
27	have his or her name placed on the ballot for the state general election as provided in this
28	subdivision.
29	III. No candidate shall be placed on the ballot at the state general election pursuant to this
30	subdivision unless the candidate shall have met the age and domicile requirements for the office he
31	or she seeks at the time of the general election and meets all the other qualifications at the time of
32	filing; and if a candidate for the office of governor, executive councilor, state senator, or state
33	representative, unless the candidate shall file an affidavit of qualifications as provided in RSA
34	655:28 and 655:29; and if a candidate for United States senator or United States representative,
35	unless the candidate shall meet the qualifications for office under RSA $655:3$ and RSA $655:4$.

HB 570 - AS INTRODUCED - Page 3 -

	i age o
1	655:45-f Declaration of Candidacy; Nominating Convention. Declarations of candidacy for
2	candidates seeking placement on the ballot at a state general election pursuant to this subdivision
3	shall be in the following form and signed by the candidate:
4	I,, declare that I am domiciled in Ward, in the city (or town or unincorporated
5	place) of, county of, state of New Hampshire, and am a
6	registered voter herein; that I am a registered member of the party; that I am a
7	candidate for the office of to be chosen at the general election to be held on the
8	day of I further declare that, if qualified as a candidate for said office, I
9	shall not withdraw; and that, if elected, I shall be qualified for and shall assume the duties of said
10	office. If I have been convicted of a felony, I declare that I have completed my sentence as required
11	in RSA 607-A:2.
12	4 Effective Date. This act shall take effect 60 days after its passage.